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**GUNNISON, McKAY &
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FACSIMILE TRANSMISSION

To: Office of Initial Patent Examination
Attention: Ms. Stokes
From: Forrest Gunnison

Phone: 703-308-9575
Pages: 12 (including this page)

Fax: 703-308-7751
Date: November 30, 2001

Re: Applicant(s): Thorsten Laux
Assignee: Sun Microsystems, Inc.
Title: A System and Method Including a Merging Driver for Accessing Multiple Data Sources

Serial No.: 09/738,464
Filed: December 13, 2000

Examiner: Unknown
Group Art 2171
Unit:

Docket No.: P-4589

Enclosed herewith are:

1. Facsimile Transmission (1 page);
2. Submittal of Papers in Response to Telephonic Request (2 pages);
3. Copy of return receipt postcard (1 page); and
4. Copy of Petition to Commissioner to Accord Application the Filing Date as the Date of Deposit Shown on the Express Mail Filing Receipt, with copy of Filing Receipt, Exhibits A, B and C (8 total pages).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Office of Initial Patent Examination, Fax No. (703)-308-7751 on the date shown below..

Mona Marshall November 30, 2001
Mona Marshall

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Thorsten Laux
Assignee: Sun Microsystems, Inc.
Title: A SYSTEM AND METHOD INCLUDING A MERGING DRIVER FOR
ACCESSING MULTIPLE DATA SOURCES
Serial No.: 09/738,464 Filed: December 13, 2000
Examiner: Unknown Group Art 2171
Unit:
Docket No.: P-4589

Monterey, CA
November 30, 2001

Assistant Commissioner for Patents
Office of Initial Patent Examination
Washington, D.C. 20231

SUBMITTAL OF PAPERS IN RESPONSE TO TELEPHONIC REQUEST

Dear Sir:

Pursuant to the telephone conversation with Ms. Stokes at the Office of Initial Patent Examination on November 20, 2001, enclosed is a copy of:

1. Return receipt postcard with the USPTO date stamp of March 26, 2001 (1 page); and
2. Petition to Commissioner to Accord Application the Filing Date as the Date of Deposit Shown on the Express Mail Filing Receipt, with copy of Filing Receipt, Exhibits A, B and C (8 total pages), as filed by first class mail in the U.S.P.T.O. on March 21, 2001.

Applicant's attorney attests that to the best of my knowledge and belief, the foregoing information is true and

correct and any attached copy is a true copy of the original document.

Applicant's attorney further notes that the return receipt postcard shows that these papers were previously received by the USPTO. Nevertheless, if a petition is required to enter these papers for consideration, Applicant hereby so petitions.

Applicant further submits that no petition fee should be owing because the papers were clearly lost by the USPTO.

☒ Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed documents after all papers filed with this transmittal have been considered, Applicant hereby petitions for such an extension of time.

☒ The Commissioner is hereby authorized to charge any additional fees required for consideration of the enclosed documents, and to credit any overpayment of fees to Deposit Account No. 50-0553.

If there are any questions relating to the above, please telephone the undersigned Attorney for Applicant.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Office of Initial Patent Examination, Fax No. (703)-308-7751 on the date shown below.

Mona Marshall
Mona Marshall

November 30, 2001

Respectfully submitted,



Forrest Gunnison
Attorney for Applicant
Reg. No. 32,899
(831) 655-0880

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Applicant(s): Thorsten Laux
Assignee: Sun Microsystems, Inc.
Title: A SYSTEM AND METHOD INCLUDING A MERGING DRIVER
FOR ACCESSING MULTIPLE DATA SOURCES
Serial No.: 09/738,464
Filed: December 13, 2000
Atty Docket No.: P-4589

Enclosed are:

- 1) Return Receipt Post Card;
- 2) Check for \$130.00 for Petition Fee
- 3) Petition to the Commissioner (3 pages);
- 4) Copy of Filing Receipt (1 page);
- 5) Exhibit A (2 pages);
- 6) Exhibit B (1 page); and
- 7) Exhibit C (1 page).

Mailed March 21, 2001



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Bib Data Sheet

CONFIRMATION NO. 9684

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|--|---|------------------------------------|---|--------------------------------------|--------------------------------|
| SERIAL NUMBER 09/738,464 | FILING DATE 12/13/2000 RULE | CLASS 707 | GROUP ART UNIT 2151 | ATTORNEY DOCKET NO. P-4589 | |
| APPLICANTS Thorsten Laux, Hamburg, GERMANY; ** CONTINUING DATA ***** ** FOREIGN APPLICATIONS ***** EUROPEAN PATENT OFFICE (EPO) 99124939.2 12/14/1999 IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 02/22/2001 | | | | | |
| Foreign Priority claimed <input checked="" type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions met <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance Verified and Acknowledged Examiner's Signature <i>GB</i> Initials | | STATE OR COUNTRY GERMANY | SHEETS DRAWING 8 | TOTAL CLAIMS 17 | INDEPENDENT CLAIMS 4 |
| ADDRESS Forrest Gunnison Gunnison, McKay & Hodgson, L.L.P. Suite 220 1900 Garden Road Monterey, CA 93940 | | | | | |
| TITLE System and method including a merging driver for accessing multiple data sources | | | | | |
| FILING FEE RECEIVED 790 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | | <input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit | | |